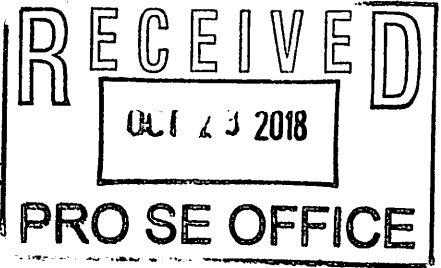


ORIGINAL

BRODIE, J.

BLOOM, M.J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK



T-JAI MURPHY

-against-

NYPD OFFICER #1

NYPD OFFICER #2

NYPD OFFICER #3

**Complaint for Violation of Civil
Rights**

(Non-Prisoner Complaint)

Case No. **CV18-5954**
(to be filled in by the Clerk's Office)

Jury Trial Demanded: Yes

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed *in forma pauperis*.

I. The Parties to This Complaint

A. The Plaintiff(s)

T-Jai Murphy

167-36 144th terr

Jamaica, NY 11434-5103

516 261 2263

t.jai.murphy@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

NYPD Officer # 1 (individual and official capacity)

Defendant No. 2

NYPD Officer #2 (individual and official capacity)

Defendant No. 3

NYPD Officer #3 (individual and official capacity)

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. ~~§~~ Bringing suit against:

~~§~~ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Fourth, fifth, sixth, eighth, thirteenth and fourteenth amendments.

C. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Each defendant acted as NYPD

III. Statement of Claim

A. Where did the events giving rise to your claim(s) occur?

The corner of 147th Ave and 176th ST in Jamaica, New York.

B. What date and approximate time did the events giving rise to your claim(s) occur?

11pm on May 10, 2018

C. What are the facts underlying your claim(s)?

NYPD Officer #1, who was unidentifiable as a NYPD Officer, detained plaintiff without consent or probable cause and engaged in deceptive tactics to conduct a nonconsensual search of plaintiff's vehicle and person which resulted in the conversion of property and injuries.

NYPD Officer #2, who was unidentifiable as a NYPD Officer, detained plaintiff without consent or probable cause and engaged in deceptive tactics to conduct a nonconsensual search of plaintiff's vehicle and which resulted in the conversion of property and injuries.

NYPD Officer #3, detained plaintiff without probable cause and engaged in assaults, battery, excessive force and deceptive tactics to conduct a nonconsensual search of plaintiff's vehicle and which resulted in the conversion of property and injuries.

IV. Injuries

Violation to rights, privileges and immunities secured by the constitution and its amendments, false arrest, false imprisonment, malicious prosecution, assault, battery, and conversion of property.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Grant judgement in plaintiffs favor awarding \$100,000 actual damages, \$400,000 punitive damages and a nominal damage. The basis of the claim is the violation to rights, privileges and immunities secured by the constitution and its amendments, false arrest, false imprisonment, malicious prosecution, assault, battery, and conversion of property.

VI. Exhibits

- A. Fraudulent traffic ticket declaring defective headlights
- B. NYPD Officer verifying no defective headlight exists
- C. Fraudulent criminal court ticket
- D. Certificate of disposition dismissing criminal court ticket

VII. Certification and Closing

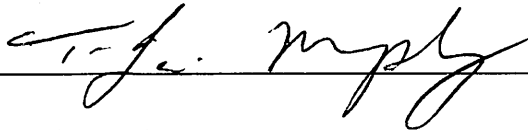
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

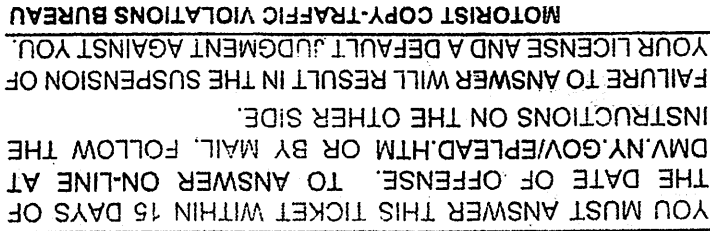
Date of signing: October ²³~~22~~, 2018.

Signature of Plaintiff



Printed Name of Plaintiff: T-Jai Murphy

ABD6053854



Business Hours: Monday - Friday 8:30AM - 4:00PM
Also Thursday 4:00PM - 6:00PM
Madison Ave. N. - 159 East 125th Street (2nd Floor)
Marquette St. - 2 Washington St. (South of)
Brooklyn, N.Y. - Atlantic City (1st Floor) 625 Atlantic Ave.
Brooklyn, N.Y. - 2875 W. 5th Street
Brooklyn - 855 East 69th Avenue Road
Queens, N.Y. - 31-55 Northern Bowery
Queens, N.Y. - 35-05 Rockaway Blvd.
Rochester, N.Y. - 15 E. Main - West 19th Floor
Staten Island - 1775 South Avenue

TRAFF. VIOL. BUREAU IN:

TRAFFIC VIOLATIONS BUREAU HEARING OFFICES (713) 458-5710

DATE APPROVED		APPROVED		CHIEF OF POLICE		CITY OF LOS ANGELES	
8	10	1	2	0	1	5	0
1988		1988		1988		1988	

ADAR OPERATOR NAME (Print)

COMPLAINANT SIGN AND PRINT NAME/RANK Affirmed under penalty of perjury.

THE CITY OF Town Village

THE CITY OF TOWN OF Village

LACK OF OCCURRENCE

US DOT#

<input type="radio"/> HAZ MAT	<input type="radio"/> BUS	<input type="radio"/> CDR VEH
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[illegible]

Street Number	Room
100	100

OTHER DATA

0101010

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ACTION EXPIRES (MDDY)

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VEH. MAKE VEH. COLOR

65000

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0728.

DATE: 10/10/1964

UNION

STATION	ON 100
100	100

11/11/2011

LOCAL POLICE CODE

200

POLICE AGENCY

-1-4-10

TRAFFIC TICKET

New York State - Department of Motor Vehicles

ABD6053854

TE 255 (01/03)



State of New York
Department of Transportation

STATEMENT OF CORRECTION FOR EQUIPMENT DEFECT
New York State Transportation Law (Sections 14F or 140)

If a summons is issued for an equipment defect in violation of NYSTL section 14F (except for any out-of-service violation) or section 140 (except for a violation involving an out-of-service defect relating to (i) load securement, (ii) brake systems, (iii) steering components and/or (iv) coupling devices or except for (v) a violation involving the operation of any motor vehicle after it has been placed out-of-service), such summons shall be dismissed by the court before the return date if the violation set forth in the summons is corrected not later than one-half hour after sunset on the first full business day, or if such complaint involves a farm plate vehicle, not later than one-half hour after sunset on the third full business day after the issuance of the summons and proof of such correction as set forth below is submitted to the court. For the purposes of this section "business day" shall mean any calendar day except Sunday, or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day and Christmas Day.

Acceptable proof of repair or adjustment shall consist of a submission to the court on or before the return date of the summons of: (i) a statement of correction from an officially designated state inspection station duly executed by the person performing or making such inspection and bearing the official stamp of the state inspection station; (ii) a statement of correction from an automobile repair shop on the letterhead of such repair shop duly executed by the person who made the correction or (iii) a signed statement of any police officer or a department inspector that the necessary corrections have been made. The statement required by this paragraph shall be directed to the court having jurisdiction of the alleged violation, shall be affirmed as true under penalty of perjury, and shall include the name, occupation and position of the person making the statement, the time and date that the repairs or inspection were made and a statement that the defective equipment, cited in the violation, on the vehicle in question, is in proper working order.

The following may be used by inspection stations, police officers and NYSDOT inspectors:

I PO Klepadlo, Police Officer,
(Name) (Position/Occupation)

Police Dept., affirm under penalty of perjury that on
(Inspection Station, Police Dept. or NYSDOT Region)

05/11/18, 14:50 am/pm I inspected and/or repaired * the: 375221
(Date) (Time) (* delete if not applicable) (cited equipment)

Of a 2017, Ford, 1H4D1316101611
(Year) (Make of Vehicle) (Plate Number) (cited equipment)

and that at such time the defective equipment cited in the summons or information affirmed under penalty of perjury on the vehicle in question, is in proper working order.

X PO Klepadlo Date: 05/11/18
Place inspection station stamp or signature of police officer or NYSDOT inspector above.
Repair shops which are not licensed inspection stations must use business stationery).

Exhibit B

Exh. 6.1C

DEFENDANT'S COPY

Criminal Court Appearance Ticket CRC-3206 (12/16)		Name (Last, First, MI) [Redacted]		Street Address [Redacted]		City [Redacted]		State [Redacted]		Zip Code [Redacted]		Apt. No. [Redacted]		Cell Phone Number (where court may contact you) [Redacted]		Show up to court on: [Redacted] at 9:30 a.m.		Court Appearance Date (month/day/year) [Redacted]		Your court appearance location: [Redacted]		Court Locations: You must appear at the court location identified above: Bronx Criminal Court 245 E 161st Street, Bronx, NY 10451 Kings & Queens Criminal Court 1 Centre Street, New York, NY 10007 Rochester Community Justice Center 87-04 Westington Place, Brooklyn, NY 11231 Midtown Community Court 314 W 54th Street, New York, NY 10019 Queens Criminal Court 170-55 Queens Boulevard, Kew Gardens, NY 11415 Richmond Criminal Court 70 Central Ave, Staten Island, NY 10301		You are charged as follows: [Redacted]		Title of Offense: [Redacted]		Time 24 Hour (hr:min) [Redacted]		Date of Offense (month/day/year) [Redacted]		County [Redacted]		Precinct [Redacted]		Place of Occurrence [Redacted]		In Violation of: Subsection [Redacted]		VTL Code [Redacted]		Other [Redacted]		To avoid a warrant for your arrest, you must show up to court. At court, you may plead guilty or not guilty. Please see back for exceptions for Public Consumption of Alcohol and Public Urination offenses.		For additional information and questions: Visit the website or call the number below for additional information about your court appearance and transmission of this document. www.nyscourts.us OR Call 646-760-3010		Defendant stated in my presence (in substance): [Redacted]		I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.		Complainant's Full Name Printed [Redacted]		Rank/Full Signature of Complainant [Redacted]		Date Affirmed [Redacted]		Command Code [Redacted]		Agency [Redacted]		Tax Registry # [Redacted]	
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CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF QUEENS

CERTIFICATE OF DISPOSITION
NUMBER:23435

THE PEOPLE OF THE STATE OF NEW YORK
VS.

NO FEE

MURPHY, TJAI

04/25/1989

DEFENDANT

DATE OF BIRTH

16736 144TH TER

ADDRESS

JAMAICA NY 11434-5103

05/10/2018

CITY STATE ZIP

ISSUE DATE

DOCKET NUMBER: 2018SQ012613

SUMMONS NUMBER: 4439358730

PL 221.05 00 0V

ARRAIGNMENT CHARGES

CASE DISPOSITION INFORMATION:

<u>DATE</u>	<u>COURT ACTION</u>	<u>JUDGE</u>	<u>PART</u>
07/26/2018	DISMISSED	GERSHUNY,J	AP5

I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN THIS COURT.

R. Snyder CKA
COURT OFFICIAL SIGNATURE AND SEAL

10/22/2018

DATE

(CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE
COURT SEAL OVER THE SIGNATURE OF THE COURT OFFICIAL.)

Exhibit D

ORIGINAL

T-Jai Murphy

167-36 144th Terr

Jamaica, NY 11434

516 261 2263

t.jai.murphy@gmail.com

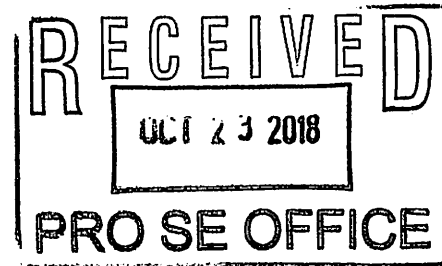
To: Pro Se Office

United states district court

Eastern district of New York

225 Cadman Plaza East

Brooklyn, NY 11201



Dear Pro Se Office,

I have annexed to this cover letter a poor person application, a section 1983 complaint and exhibits A thru D for filing. Would you please file these documents in accord with the rules of this court?

Sincerely,

T-Jai Murphy –Plaintiff